

RESOLUTION NO. 80-88

RESOLUTION APPROVING NORTHERN CALIFORNIA
POWER AGENCY SHELL MEMBER AGREEMENT AMEND-
MENT RELATIVE TO PLUMAS-SIERRA PARTICIPATION

WHEREAS, this City has authorized the execution of an "Amended and Restated Member Agreement for Construction, Operation and Financing of NCPA Geothermal Generating Unit #2 Project" (herein "Agreement") as one of the Participating Members therein; and

WHEREAS, Plumas-Sierra Rural Electric Cooperative, which is also a Participating Member in such Project, desires to add a provision to paragraph 5(c) of such Agreement to meet the requirements of the Administrator of the U. S. Rural Electrification Administration, to wit:

"Notwithstanding the foregoing, none of the provisions contained in this section 5(c) shall be construed as affecting the right of Plumas-Sierra Rural Electric Cooperative to issue additional notes under and pursuant to its existing security instruments, as the same may be from time to time amended or supplemented, securing loans made by the United States of America acting through the Administrator of the Rural Electrification Administration and by the National Rural Utilities Cooperative Finance Corporation."

and

WHEREAS, such addition has been approved by the Development Fund Committee and Executive Committee of NCPA; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF LODI, as follows:

Section 1. This City hereby consents to the addition to section 5(c) of the Agreement of the language set out in the recitals hereto, and the appropriate City officials are authorized and directed to execute any supplemental or replacing agreements to accomplish the result provided for herein.

Section 2. This City further consents to any modification of the above language which the Administrator may require and which the NCPA Commission or Executive Committee may determine to be appropriate, or to have only a minor effect on the financing of such Project, and which does not affect the City's right to power from the Project.

Section 3. If the requirements of the Administrator cannot be satisfied in accordance with this resolution within the time determined to be appropriate by the Chairman of NCPA, this City consents to the disposal of the interests of Plumas-Sierra to other Purchasing Participating Members substantially in accordance with the procedures used in the case of the City of Biggs, except no further consent of the City shall be required.


Dated: July 16, 1980

I hereby certify that Resolution No. 80-88 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 16, 1980 by the following vote:

Ayes: Councilmen - Hughes, McCarty,
Murphy, and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - Katnich


JAMES B. SCHROEDER
DEPUTY CITY CLERK